UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 June 2007</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1 – 6, 9 - 11, 13 – 17, and 19 - 31</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1 – 6, 9 - 11, 13 – 17, and 19 - 31</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.　　A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 6/7/2007 has been entered.

2.　　Applicant's amendments to claims 1 – 31 are acknowledged. Consequently, claims 7 - 8,

12, and 18 have been cancelled. Claims 1 – 6, 9 - 11, 13 – 17, and 19 - 31 are currently pending.

Claim Rejections - 35 USC § 103

3.　　The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.　　Claims 1 – 6, 9 - 11, 13 – 17, 19 - 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bly et al (U.S. 2002/0077944 A1) in view of Naohito Nakamura (U.S.

6,633,873) further in view of Larry Harris (U.S. 2002/0059204).

♦ As per claims 1, 14,

Bly discloses a method of facilitating a distributed search for a procurement request comprising:

-　　" Receiving the procurement request from a user, wherein the procurement request is

　　　subject to organizational procurement controls, and wherein the procurement request

involves requesting goods and/or services" See Fig. 3 and 10, paragraph 0063 and 0109.

The Examiner notes that "procurement controls" specifies controls on price, "quantity",

brand, and source for an item to be purchased (as specified in the remark on page 9, last

paragraph). Therefore, the "procurement request" corresponds to a request in the Bly

reference (Fig. 10) that comprising price, band (make/model) (corresponds to good), or

service (Lease, buy, rent or all).

- " Requesting a remote supplier to conduct a remote search to satisfy the procurement

  request, wherein the remote supplier is an external supplier and/or vendor who is located

  outside of the organization to which the user belongs, and wherein the request identifies

  to the remote supplier a context in which to execute the remote search" See paragraph

  0045, wherein Bly teaches that multiple data server can be combined.

  - Examiner agrees that Bly is silent on teaching conducting a remote search.

    However, Bly does teach that multiple servers can be combined to provide

    information to client. Therefore, each "additional server" corresponds to a

    "remote supplier" in this situation. Nakamura, on the other hand, discloses a

    method for retrieving data from a local and remote database (See Fig. 2 of

    Nakamura) comprising the teaching of searching for material in local and remote

    storage system (col. 5, lines 7 – 30 of Nakamura). Therefore, Nakamura teaches

    "Using the organization procurement controls to determine if the search involves

    a local search and/or a remote search" as claimed in the claims invention, wherein

    the "controls" corresponds to the "retrieval device" 6 in Fig. 1 of Nakamura.

    Further Nakamura teaches: "when the search involves a local search, initiating a

local search of a local information source" See Fig. 2 of Nakamura wherein

Nakamura teaches the local search and the condition is "Yes".

Since both references are in the same field of invention (searching and retrieving, see

the abstract of both references), it would have been obvious to one with ordinary skill

in the art at the time the invention was made, to apply the teaching of Nakamura into

the invention of Bly because the combination would provide the user more accurate

results, and reduce the time in searching the databases.

- "and wherein requesting the remote supplier involves including information that

  enables the remote supplier to verify the identity of the procurement server and/or

  the user" Bly implicitly teaches this limitation by associated a search parameter

  with class of user such as whether a user is a member or a dealer (page 10,

  paragraph 0109). By using this information, the search result is limited based on

  the user's affiliation (member or dealer). Applicant defined that "a context in

  which to execute the remote search" as a context that " may be associated with a

  user's identify, user's affiliation or a language" (see page 10 of the Remark

  1/29/07). Therefore, in Bly system, the user identify or user's affiliation

  (corresponds to member or dealer) is associated with the search parameter (see

  paragraph 0109 of By) that the remote supplier can be used to execute the remote

  search and return to the user based on this user identify or user's affiliation. In the

  event that this limitation is not taught by Bly, Harris, on the other hand, discloses

  a method for searching data over the Internet (see the abstract of Harris). Harris

  teaches "query information can be received or otherwise associated with identity

information" (paragraph 0053); "the query information can include or be

accompanied by a dictionary selection, a user ID, business rules..." (paragraph

0062); "A subscriber, for example, can determine to exclude products from

particular users based upon a received profile (i.e., age, etc.)" (paragraph 0052).

The system can be configured to prevent the query information from being

applied to a data source for which the user is not allowed to access (paragraph

0053 of Harris). As discussed above, Applicant defined that "wherein requesting

the remote supplier involves including information that enables the remote

supplier to verify the <u>identity</u> of the procurement server and/or <u>the user</u>".

Therefore, Harris clearly discloses a request identifies to the remote supplier a

context in which to execute the remote search (by associated the user ID so that

the remote search can be granted appropriate privileges and scopes associated

with the context.

Since Harris references is also in the same field of invention (searching and

retrieving, see the abstract of both references) with the combination reference above,

it would have been obvious to one with ordinary skill in the art at the time the

invention was made, to apply the teaching of Harris into the combined references

above because the combination would provide the user more accurate results, and

protect the resource from being accessed by unauthorized users (see paragraph 0053

of Harris).

- " Initiating a local search of a local information source" See Fig. 3 of Bly wherein the

local information corresponds to the "market database" or Nakamura

- " Receiving results of the remote search" See Fig. 2 of Nakamura.

- "Filtering results of the remote search by applying organizational procurement controls to the results of the remote search, whereby the organizational procurement controls can be applied to the results of the remote search which is performed by the remote supplier" See page 10, paragraph 0109, paragraph 0096 of Bly, and paragraph 0053 of Harris.

- " Merging said remote search results with results of the local search" See Fig. 2 of Nakamura.

♦ As per claim 2, Bly/ Nakamura /Harris disclose:

- " Filtering said remote search results with a set of local rules" See page 10 paragraph 0108 – 0109 of Bly. The "local rule" corresponds to the "predetermined condition" of the search query.

♦ As per claim 3, Bly/ Nakamura /Harris disclose:

- " Filtering comprises editing said remote search results according to a set of rules regarding information ... user" See page 10 paragraph 0108 – 0109 of Bly. The search result is filtered by the search parameters like class of user or the conditions that user selected (paragraph 0109 of Bly).

♦ As per claim 4, Bly/ Nakamura /Harris disclose:

- " Selecting said remote information source from multiple information sources" corresponds to the methodology that allowing the user selects the market databases, since the market database is equivalent to the "multiple information source" (See page 6, paragraph 0063 of Bly).

♦ As per claim 5, Bly/ Nakamura /Harris disclose:

- " Said remote search is conducted without the user being connected to the remote

  information source" See Fig. 2 of Nakamura. The remote database is searched by the

  system and the results are returned to the user automatically. Therefore, the user is not

  connected to the remote source.

♦ As per claim 6,

  Nakamura /Bly fail to disclose, " The remote information source employs a user interface

  different from a user interface employed by the local information source". According to Fig.

  1 of the disclosure, the remote source interface is different with the local interface by its

  format in the database.

  However, Harris, on the other hand, discloses a distributed search system that comprises

  a plurality of data sources (See Fig. 2, Harris). The data source can be in different formats

  (page 2, paragraph 0029). Therefore, Harris discloses a remote source that has a different

  interface with the local interface.

  It would have been obvious to one with ordinary skill in the art at the time the invention was

  made to apply the teaching of Harris into the combination system of Holt /Bly because the

  combination would allow the user obtains more result from different data sources.

♦ As per claims 9 - 11, 16, 19 – 20, 24, the combination of Nakamura /Bly/Harris disclose:

  - " Said context comprises an identity of the user" and " comprises an identity of an

    organization operating the local resource" See page 10, paragraph 0109 of Bly and

    paragraph 0052 – 0053, 0062, Harris.

  - " Said context comprises a language" See paragraph 0047, Harris.

♦ As per claims 13, 25, Bly/ Nakamura /Harris disclose:

- " Remote search and local search are performed at least partially in parallel" See Fig. 2 of Nakamura.

♦ As per claims 15, 22, the combination of Nakamura /Bly/Harris disclose:

With all limitation as in claim 1, further including:

- " Said requesting comprises identifying to the remote information source a context in which to execute the remote search" See page 5, paragraph 0052 – 0053, Harris.

- " Said context comprises an identity of the user" and " comprises an identity of an organization operating the local resource" See paragraph 0052 – 0053, 0062, Harris.

- " Said context comprises a language" See paragraph 0047, Harris.

♦ As per claim 17, the combination of Nakamura /Bly/Harris disclose:

- " Selecting said remote information source from multiple information sources" See Fig. 3 of Bly.

♦ As per claim 21, the combination of Nakamura /Bly/Harris disclose:

- " Remote search and local search are performed at least partially in parallel" See Fig. 2 of Nakamura.

♦ As per claim 23, Bly/ Nakamura /Harris disclose:

Claim 23 is rejected based on the rejection of claims 1 – 2.

♦ As per claim 26 - 28, Bly/ Nakamura /Harris disclose:

- " Wherein the organizational procurement controls include at least one of, an upper limit on a price, an upper limit on a quantity, a prohibition against a given supplier, a limit to a given brand, a limit to a given model, a limit on a delivery option, and a limit on a

payment terms" See page 10, paragraph 0109, paragraph 0096 of Bly, and paragraph 0053 of Harris

♦ As per claim 29, Bly/ Nakamura /Harris disclose:

- " Wherein said presenting comprises displaying said merged search results with the user interface employed by the local information source" Harris, discloses a distributed search system that comprises a plurality of data sources (See Fig. 2, Harris). The data source can be in different formats (page 2, paragraph 0029). In addition Harris also uses a formatting module (Fig. 4, element 48, paragraph 0063) in invention. Therefore, the result in Harris displaying said merged search results with the user interface employed by the local information source.

♦ As per claims 30 - 31, Bly/ Nakamura /Harris disclose:

- " Wherein said requesting a remote supplier comprises identifying to the remote information source a context in which to execute the remote search" corresponds to the step of sending the request to the remote database to search for a particular document/keyword.

<div align="center">Response to Arguments</div>

5.   Applicant's arguments filed 6/7/2007 have been fully considered but they are not persuasive.

Applicant argues that nothing in Bly, Holt, or Harris teaches enabling responses to remote search requests that are customized to the requesting entity's identity. The Examiner respectfully disagrees.

- As discussed above, Bly implicitly teaches this limitation by associated a search parameter with class of user such as whether a user is a member or a dealer (page 10, paragraph 0109). By using this information, the search result is limited based on the user's affiliation (member or dealer). Applicant defined that "a context in which to execute the remote search" as a context that " may be associated with a user's identify, user's affiliation or a language" (see page 10 of the Remark 1/29/07). Therefore, in Bly system, the user identify or user's affiliation (corresponds to member or dealer) is associated with the search parameter (see paragraph 0109 of By) that the remote supplier can be used to execute the remote search and return to the user based on this user identify or user's affiliation. In the event that this limitation is not taught by Bly, Harris, on the other hand, discloses a method for searching data over the Internet (see the abstract of Harris). Harris teaches "query information can be received or otherwise associated with identity information" (paragraph 0053); "the query information can include or be accompanied by a dictionary selection, a user ID, business rules…" (paragraph 0062); "A subscriber, for example, can determine to exclude products from particular users based upon a received profile (i.e., age, etc.)" (paragraph 0052). The system can be configured to prevent the query information from being applied to a data source for which the user is not allowed to access (paragraph 0053 of Harris). As discussed above, Applicant defined that "wherein requesting the remote supplier involves including information that enables the remote supplier to verify the <u>identity</u> of the procurement server and/or <u>the user</u>".

Therefore, Harris clearly discloses a request identifies to the remote supplier a
context in which to execute the remote search (by associated the user ID so that
the remote search can be granted appropriate privileges and scopes associated
with the context.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024.
The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the
organization where this application or proceeding is assigned is 571 – 273 - 8300.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nguyen, Cam Linh

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